

PTO/SB/96 (10-92)

## CERTIFICATE UNDER 37 C.F.R. § 3.73(b)

Docket No. 212302000320

In the application of: Miltenyi et al.  
Serial No.: 08/416,920  
Filed: April 25, 1995  
For: DIRECT SELECTION OF CELLS BY SECRETION PRODUCT

Miltenyi Biotec GmbH, a Corporation, certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of either:

A. ☐ An assignment from the inventors of the patent application identified above. For which a copy thereof is attached.

OR

B. ☒ A chain of title from the inventor(s) of the patent identified above, to the current assignee as shown below:

1. From : Andreas Radbruch and Rudi Manz.  
To: Stefan Miltenyi  
For which a copy thereof is attached.

2. From : Stefan Miltenyi  
To: Miltenyi Biotec GmbH  
For which a copy thereof is attached.

3. From : \*  
To: \*  
The document was recorded in the Patent and Trademark Office at Reel \*, Frame \*, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☒ Copies of assignments or other documents in the chain of title are attached.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to sign this certificate on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated: 22. Oct. 95

Name:

Title:

*Stefan Miltenyi*  
General Manager

PTO/SB/96 (10-92)

Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

## ASSIGNMENT

WHEREAS, Stefan Miltenyi (hereinafter "assignor"), is the sole and exclusive owner, by assignment, of the United States Patent Application Serial No. 08/416,920 filed April 21, 1995, entitled "DIRECT SELECTION OF CELLS BY SECRETION PRODUCT", and the inventions described therein; and

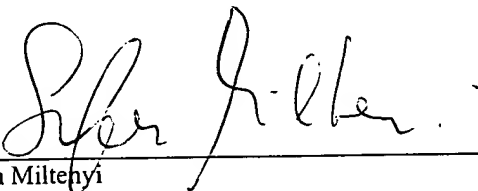
WHEREAS, Miltenyi Biotec GmbH, a corporation of Germany (hereinafter "assignee"), is desirous of acquiring the right, title and interest in, to and under said Patent application and the inventions covered thereby:

NOW, THEREFORE, in consideration of and in exchange for the sum of One Dollar (\$1.00) to be paid by assignee and other good and valuable consideration, the receipt of which is hereby acknowledged, assignor has sold, assigned, and transferred, and does hereby sell, assign, and transfer the entire right, title and interest in and to the above-mentioned inventions, application for Letters Patent, and any and all applications for Letters Patent in the United States of America and in all foreign countries and in all Patents in the United States of America and all foreign countries which may be granted therefor and thereon, and in and to any and all divisions, continuations, and continuations-in-part of said application, or reissues or extensions of said Letters Patent or Patents, and all rights under the International Convention for the Protection of Industrial Property, the same to be held and enjoyed by the said assignees, for their own use and the use of their successors, legal representatives and assigns, to the full end of the term or terms for which Letters Patent or Patents, may be granted, as fully and entirely as the same would have been held and enjoyed by the assignors, had this sale and assignment not been made.

AND for the same consideration, the said assignor hereby covenants and agrees to and with the assignee, its successors, legal representatives and assigns, that, at the time of execution and delivery of these presents, the said assignor is the sole and lawful owner of the entire right, title and interest in and to the said inventions and the application for Letters Patent above-mentioned, and that the same are unencumbered and that the said assignor has good and full right and lawful authority to sell and convey the same in the manner herein set forth.

AND assignor hereby authorizes and requests the Commissioner of Patents and Trademarks to issue any and all Letters Patent or Patents of the United States on said inventions or resulting from said applications and any continuations, divisionals and reissues thereof to assignee as assignee of the entire interest, and hereby covenants that it has full right to convey the entire interest herein assigned, and that it has not executed, and will not execute, any agreements inconsistent herewith.

22. Oct. 95  
Date

  
Stefan Miltenyi

ASSIGNMENT BY JOINT INVENTORS  
TO ANOTHER JOINT INVENTOR

Whereas, Stefan Miltenyi (hereinafter assignee) and Andreas Radbruch and Rudi Manz (hereinafter assignors), all citizens and residents of Germany, residing at Bergisch Gladbach, Bonn and Köln-Sülz, respectively, are the inventors, applicants and owners of the entire right, title and interest in and to United States Letters Patent application entitled "DIRECT SELECTION OF CELLS BY SECRETION PRODUCT" and having a declaration executed on even date herewith and of the invention therein described; and

Whereas, assignee is desirous of acquiring assignors' entire right, title and interest in and to said invention within the United States of America and its territorial possessions and in and to any United States Patent that may be granted therefor and in and to said application;

Now, therefore, in consideration of One Dollar (\$1.00) and other good and sufficient considerations, the receipt of which is hereby acknowledged, the said assignors have sold, assigned, transferred and set over, and by these presents do sell, assign, transfer and set over, unto the assignee, his successors, legal representatives and assigns, their entire right, title and interest in and to the above-mentioned invention, application for Letters Patent, and any and all Letters Patent or Patents in the United States of America and all foreign countries which may be granted therefor and thereon, and in and to any and all divisions, continuations, and continuations-in-part of said application, or reissues or extensions of said Letters Patent or Patents, and all rights under the International Convention for the Protection of Industrial Property, the same to be held and enjoyed by the said assignee, for his own use and behoof and the use and behoof of his successors, legal representatives and assigns, to the full end of the term or terms for which Letters Patent or Patents may be granted, as fully and entirely as the same would have been held and enjoyed by the assignors, had this sale and assignment not been made.

And for the same consideration, the said assignors hereby covenant and agree to and with the said assignee, his successors, legal representatives and assigns, that, at the time of execution and delivery of these presents, the said assignors are the sole and lawful owners of their entire right, title and interest in and to the said invention and the application for Letters Patent above-mentioned, and that the same are unencumbered and that the said assignors have good and full right and lawful authority to sell and convey the same in the manner herein set forth.


And for the same consideration, the said assignors hereby covenant and agree to and with the said assignee, his successors, legal representatives and assigns, that the said assignors will, whenever counsel of the said assignee, or the counsel of his successors, legal representatives and assigns, shall advise that any proceeding in connection with said invention, or said application for Letters Patent, or any proceeding in connection with Letters Patent for said invention in any country, including interference proceedings, is lawful and desirable, or that any division, continuation or continuation-in-part of any application for Letters Patent, or any reissue or extension of any Letters Patent, to be obtained thereon, is lawful and desirable, sign all papers and documents, take all lawful oaths, and do all acts necessary or required to be done for the procurement, maintenance, enforcement and defense of Letters Patent for said invention, without charge to the said assignee, his successors, legal representatives and assigns, but at the cost and expense of the said assignee, his successors, legal representatives and assigns.

And the said assignors hereby request the Commissioner of Patents to issue said Letters Patent of the United States to the said assignee, as the assignee of said invention and the Letters Patent to be issued thereon for the sole use and behoof of the said assignee, his successors, legal representatives and assigns.

Date 11-4-95

  
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Andreas Radbruch

Date 11-4-95

  
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Rudi Manz